



General Assembly

January Session, 2001

Committee Bill No. 333

LCO No. 3994

Referred to Committee on Select Committee on Aging

Introduced by:
(AGE)

**AN ACT CONCERNING INCOME GUIDELINES USED IN
DETERMINING ELIGIBILITY FOR THE CIRCUIT BREAKER
PROGRAM, THE ENERGY ASSISTANCE PROGRAM, RENTER'S
REBATE, CONNPAGE AND TITLE XIX.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17b-492 of the general statutes is repealed and the
2 following is substituted in lieu thereof:

3 (a) Eligibility for participation in the program shall be limited to any
4 resident (1) who is sixty-five years of age or older or who is disabled,
5 (2) whose annual income, if unmarried, is less than thirteen thousand
6 eight hundred dollars, or whose annual income, if married, when
7 combined with that of his spouse is less than sixteen thousand six
8 hundred dollars, (3) who is not insured under a policy which provides
9 full or partial coverage for prescription drugs once a deductible
10 amount is met, and (4) on and after September 15, 1991, who pays an
11 annual twenty-five-dollar registration fee to the Department of Social
12 Services. On January 1, 1998, and annually thereafter, the
13 commissioner shall, by the adoption of regulations in accordance with
14 chapter 54, increase the income limits established under this subsection

15 over those of the previous fiscal year to reflect the annual inflation
16 adjustment in Social Security income, if any. Each such adjustment
17 shall be determined to the nearest one hundred dollars.

18 (b) Payment for a prescription under the program shall be made
19 only if no other plan of insurance or assistance is available to an
20 eligible person for such prescription at the time of dispensing. The
21 pharmacy shall make reasonable efforts to ascertain the existence of
22 other insurance or assistance.

23 (c) Any eligible resident who (1) is insured under a policy which
24 provides full or partial coverage for prescription drugs, and (2) expects
25 to exhaust such coverage, may apply to participate in the program
26 prior to the exhaustion of such coverage. Such application shall be
27 valid for the applicable income year. To be included in the program, on
28 or after the date the applicant exhausts such coverage, he or his
29 designee shall notify the department that such coverage is exhausted
30 and, if required by the department, shall submit evidence of
31 exhaustion of coverage. Not later than ten days after an eligible
32 resident submits such evidence, he shall be included in the program.
33 The program shall (A) cover prescriptions that are not covered by any
34 other plan of insurance or assistance available to the eligible resident
35 and that meet the requirements of this chapter, and (B) retroactively
36 cover such prescriptions filled after or concurrently with the
37 exhaustion of such coverage. Nothing in this subsection shall be
38 construed to prevent a resident from applying to participate in the
39 program as otherwise permitted by this chapter and regulations
40 adopted pursuant to this chapter.

41 (d) The Commissioner of Social Services may adopt regulations, in
42 accordance with the provisions of chapter 54, to implement the
43 provisions of subsection (c) of this section. Such regulations may
44 provide for the electronic transmission of relevant coverage
45 information between a pharmacist and the department or between an
46 insurer and the department in order to expedite applications and

47 notice.

48 (e) Notwithstanding any other provision of this section, the
49 Commissioner of Social Services shall increase the eligibility levels for
50 the program, by a proportionate per cent, when the Social Security
51 Administration increases such benefits.

52 Sec. 2. Section 12-170d of the general statutes is repealed and the
53 following is substituted in lieu thereof:

54 (a) Beginning with the calendar year 1973 and for each calendar
55 year thereafter any renter of real property, or of a mobile
56 manufactured home, as defined in section 12-63a, which he occupies as
57 his home, who meets the qualifications set forth in this section, shall be
58 entitled to receive in the following year in the form of direct payment
59 from the state, a grant in refund of utility and rent bills actually paid
60 by or for him on such real property or mobile manufactured home to
61 the extent set forth in section 12-170e. Such grant by the state shall be
62 made upon receipt by the state of a certificate of grant with a copy of
63 the application therefor attached, as provided in section 12-170f,
64 provided such application shall be made within one year from the
65 close of the calendar year for which the grant is requested. If the rental
66 quarters are occupied by more than one person, it shall be assumed for
67 the purposes of this section and sections 12-170e and 12-170f that each
68 of such persons pays his proportionate share of the rental and utility
69 expenses levied thereon and grants shall be calculated on that portion
70 of utility and rent bills paid that are applicable to the person making
71 application for grant under said sections. For purposes of this section
72 and said sections 12-170e and 12-170f a husband and wife shall
73 constitute one tenant, and a resident of cooperative housing shall be a
74 renter. To qualify for such payment by the state, the renter shall meet
75 qualification requirements in accordance with each of the following
76 subdivisions: (1) (A) At the close of the calendar year for which a grant
77 is claimed be sixty-five years of age or over, or his spouse who is
78 residing with him shall be sixty-five years of age or over, at the close of

79 such year, or be fifty years of age or over and the surviving spouse of a
80 renter who at the time of his death had qualified and was entitled to
81 tax relief under this chapter, provided such spouse was domiciled with
82 such renter at the time of his death, or (B) at the close of the calendar
83 year for which a grant is claimed be under age sixty-five and eligible in
84 accordance with applicable federal regulations, to receive permanent
85 total disability benefits under Social Security, or if he has not been
86 engaged in employment covered by Social Security and accordingly
87 has not qualified for benefits thereunder but has become qualified for
88 permanent total disability benefits under any federal, state or local
89 government retirement or disability plan, including the Railroad
90 Retirement Act and any government-related teacher's retirement plan,
91 determined by the Secretary of the Office of Policy and Management to
92 contain requirements in respect to qualification for such permanent
93 total disability benefits which are comparable to such requirements
94 under Social Security; (2) shall reside within this state and shall have
95 resided within this state for at least one year or his spouse who is
96 domiciled with him shall have resided within this state for at least one
97 year and shall reside within this state at the time of filing the claim and
98 shall have resided within this state for the period for which claim is
99 made; (3) shall have taxable and nontaxable income, the total of which
100 shall hereinafter be called "qualifying income", during the calendar
101 year preceding the filing of his claim in an amount of not more than
102 twenty thousand dollars, jointly with spouse, if married, and not more
103 than sixteen thousand two hundred dollars if unmarried, provided
104 such maximum amounts of qualifying income shall be subject to
105 adjustment in accordance with subdivision (2) of subsection (a) of
106 section 12-170e, and provided the amount of any Medicaid payments
107 made on behalf of the renter or the spouse of the renter shall not
108 constitute income; and (4) shall not have received financial aid or
109 subsidy from federal, state, county or municipal funds, excluding
110 Social Security receipts, emergency energy assistance under any state
111 program, emergency energy assistance under any federal program,
112 emergency energy assistance under any local program, payments

113 received under the federal Supplemental Security Income Program,
114 payments derived from previous employment, veterans and veterans
115 disability benefits and subsidized housing accommodations, during
116 the calendar year for which a grant is claimed, for payment, directly or
117 indirectly, of rent, electricity, gas, water and fuel applicable to the
118 rented residence. Notwithstanding the provisions of subdivision (4) of
119 this subsection, a renter who receives cash assistance from the
120 Department of Social Services in the calendar year prior to that in
121 which such renter files an application for a grant may be entitled to
122 receive such grant provided the amount of the cash assistance received
123 shall be deducted from the amount of such grant and the difference
124 between the amount of the cash assistance and the amount of the grant
125 is equal to or greater than ten dollars. Funds attributable to such
126 reductions shall be transferred annually from the appropriation to the
127 Office of Policy and Management, for Tax Relief for Elderly Renters, to
128 the Department of Social Services, to the appropriate accounts,
129 following the issuance of such grants. Notwithstanding the provisions
130 of subsection (b) of section 12-170aa, the owner of a mobile
131 manufactured home may elect to receive benefits under section
132 12-170e in lieu of benefits under said section 12-170aa.

133 (b) For purposes of determining qualifying income under subsection
134 (a) of this section with respect to a married renter who submits an
135 application for a grant in accordance with sections 12-170d to 12-170g,
136 inclusive, the Social Security income of the spouse of such renter shall
137 not be included in the qualifying income of such renter, for purposes
138 of determining eligibility for benefits under said sections, if such
139 spouse is a resident of a health care or nursing home facility in this
140 state receiving payment related to such spouse under the Title XIX
141 Medicaid program. An applicant who is legally separated pursuant to
142 the provisions of section 46b-40, as of the thirty-first day of December
143 preceding the date on which such person files an application for a
144 grant in accordance with sections 12-170d to 12-170g, inclusive, may
145 apply as an unmarried person and shall be regarded as such for
146 purposes of determining qualifying income under subsection (a) of this

147 section.

148 (c) Notwithstanding any other provision of this section, the
149 Commissioner of Social Services shall increase the eligibility guidelines
150 for such grant program, by a proportionate per cent, when the Social
151 Security Administration increases such benefits.

152 Sec. 3. Section 17b-801 of the general statutes is repealed and the
153 following is substituted in lieu thereof:

154 (a) The Commissioner of Social Services shall administer a state-
155 appropriated fuel assistance program to provide, within available
156 appropriations, fuel assistance to elderly and disabled persons whose
157 household gross income is above the income eligibility guidelines for
158 the Connecticut energy assistance program but does not exceed two
159 hundred per cent of federal poverty guidelines. The income eligibility
160 guidelines for the state-appropriated fuel assistance program shall be
161 determined, annually, by the Commissioner of Social Services, in
162 conjunction with the Secretary of the Office of Policy and
163 Management. The commissioner may adopt regulations, in accordance
164 with the provisions of chapter 54, to implement the provisions of this
165 subsection.

166 (b) The commissioner shall administer a state-appropriated
167 weatherization assistance program to provide, within available
168 appropriations, weatherization assistance in accordance with the
169 provisions of the state plan implementing the weatherization
170 assistance block grant program authorized by the federal Low-Income
171 Home Energy Assistance Act of 1981, and programs of fuel assistance
172 and weatherization assistance with funds authorized by the federal
173 Low-Income Home Energy Assistance Act of 1981 and by the U.S.
174 Department of Energy in accordance with 10 CFR Part 440
175 promulgated under Title IV of the Energy Conservation and
176 Production Act, as amended, and oil settlement funds in accordance
177 with subsections (b) and (c) of section 4-28. The commissioner shall
178 adopt regulations in accordance with the provisions of chapter 54, (1)

179 establishing priorities for determining which households shall receive
180 such weatherization assistance, (2) requiring that such weatherization
181 assistance for energy conservation measures other than the retrofitting
182 of heating systems be provided only for any dwelling unit for which
183 an energy audit has been conducted in accordance with the provisions
184 of sections 16a-45a to 16a-46c, inclusive, (3) requiring that the only
185 criterion for determining which energy conservation measures shall be
186 implemented pursuant to this subsection in any such dwelling unit
187 shall be the simple payback calculated for each energy conservation
188 measure recommended in the energy audit conducted for such unit, (4)
189 establishing the maximum allowable payback period for such energy
190 conservation measures, and (5) establishing conditions for the waiver
191 of the provisions of subdivisions (1) to (4), inclusive, of this subsection
192 in the event of emergencies. The programs provided for under this
193 subsection shall include a program of fuel and weatherization
194 assistance for emergency shelters for homeless individuals and victims
195 of domestic violence. The commissioner may adopt regulations, in
196 accordance with the provisions of chapter 54, to implement and
197 administer the program of fuel and weatherization assistance for
198 emergency shelters.

199 (c) Notwithstanding any other provision of this section, the
200 Commissioner of Social Services shall increase eligibility levels for
201 such fuel assistance and weatherization assistance programs when the
202 Social Security Administration increases such benefits.

203 ~~[(c)]~~ (d) The Commissioner of Social Services shall administer,
204 within available appropriations, a crime prevention and safety
205 program for residences occupied by elderly and disabled persons who
206 are eligible for the weatherization assistance block grant program
207 authorized by the federal Low-Income Home Energy Assistance Act of
208 1981 or the state-appropriated weatherization assistance program. The
209 program shall be operated through the community action agencies and
210 the municipal agency responsible for said low income weatherization
211 program. The program may provide for the purchase and installation,

212 where necessary, of devices which allow a person inside a dwelling
213 unit to view the area outside the door, or doors with windows, locks
214 on windows and doors, and smoke detectors. The installation of
215 devices under this program shall be done at the time weatherization is
216 done.

217 Sec. 4. Section 16a-41h of the general statutes is repealed and the
218 following is substituted in lieu thereof:

219 (a) Each electric and gas company, as defined in section 16-1, having
220 at least seventy-five thousand customers, shall include in its monthly
221 bills a request to each customer to add a one-dollar donation to the bill
222 payment. Each company shall transmit all such donations received
223 each month to Operation Fuel, Inc., a state-wide nonprofit
224 organization designed to respond to people within the state who are in
225 financial crisis and need emergency energy assistance. Donations shall
226 be distributed to nonprofit social services agencies and private fuel
227 banks in accordance with guidelines established by the board of
228 directors of Operation Fuel, Inc., provided such funds shall be
229 distributed on a priority basis to low-income elderly and working poor
230 households which are not eligible for public assistance or general
231 assistance but who are faced with a financial crisis and are unable to
232 make timely payments on winter fuel, electricity or gas bills.

233 (b) If Operation Fuel, Inc. ceases to exist, such electric and gas
234 companies shall jointly establish a nonprofit, tax-exempt corporation
235 for the purpose of holding in trust and distributing such customer
236 donations. The board of directors of such corporation shall consist of
237 eleven members appointed as follows: Four by the companies, each of
238 which shall appoint one member; one by the president pro tempore of
239 the Senate; one by the minority leader of the Senate; one by the speaker
240 of the House of Representatives; one by the minority leader of the
241 House of Representatives; and three by the Governor. The board shall
242 distribute such funds to nonprofit organizations and social service
243 agencies which provide emergency energy or fuel assistance. The

board shall target available funding on a priority basis to low-income elderly and working poor households which are not eligible for public assistance or general assistance but who are faced with a financial crisis and are unable to make timely payments on winter fuel, electricity or gas bills.

(c) Not later than the first of September annually, Operation Fuel, Inc. shall submit to the General Assembly a report on the implementation of this section. Such report shall include, (1) a summary of the effectiveness of the program, (2) the total amount of the donations received by electric and gas companies and transmitted to Operation Fuel, Inc. under subsection (b) of this section, and (3) an accounting of the distribution of such funds by Operation Fuel, Inc. indicating the organizations and agencies receiving funds, the amounts received and distributed by each such organization and agency and the number of households each assisted. On and after October 1, 1996, the report shall be submitted to the joint standing committee of the General Assembly having cognizance of matters relating to energy and, upon request, to any member of the General Assembly. A summary of the report shall be submitted to each member of the General Assembly if the summary is two pages or less and a notification of the report shall be submitted to each member if the summary is more than two pages. Submission shall be by mailing the report, summary or notification to the legislative address of each member of the committee or the General Assembly, as applicable.

(d) Notwithstanding any other provision of this section, the Commissioner of Social Services shall increase eligibility levels for such program, by a proportionate per cent, when the Social Security Administration increases such benefits.

Sec. 5. Section 17b-261 of the general statutes is repealed and the following is substituted in lieu thereof:

(a) Medical assistance shall be provided for any otherwise eligible person whose income, including any available support from legally

276 liable relatives and the income of the person's spouse or dependent
277 child, is not more than one hundred forty-three per cent, pending
278 approval of a federal waiver applied for pursuant to subsection (d) of
279 this section, of the benefit amount paid to a person with no income
280 under the temporary family assistance program in the appropriate
281 region of residence and if such person is an institutionalized
282 individual as defined in Section 1917(c) of the Social Security Act, 42
283 USC 1396p(c), and has not made an assignment or transfer or other
284 disposition of property for less than fair market value for the purpose
285 of establishing eligibility for benefits or assistance under this section.
286 Any such disposition shall be treated in accordance with Section
287 1917(c) of the Social Security Act, 42 USC 1396p(c). Any disposition of
288 property made on behalf of an applicant or recipient or the spouse of
289 an applicant or recipient by a guardian, conservator, person
290 authorized to make such disposition pursuant to a power of attorney
291 or other person so authorized by law shall be attributed to such
292 applicant, recipient or spouse. A disposition of property ordered by a
293 court shall be evaluated in accordance with the standards applied to
294 any other such disposition for the purpose of determining eligibility.
295 The commissioner shall establish the standards for eligibility for
296 medical assistance at one hundred forty-three per cent of the benefit
297 amount paid to a family unit of equal size with no income under the
298 temporary family assistance program in the appropriate region of
299 residence, pending federal approval, except that the medical assistance
300 program shall provide coverage to persons under the age of nineteen
301 up to one hundred eighty-five per cent of the federal poverty level
302 without an asset limit. On and after January 1, 2001, said medical
303 assistance program shall also provide coverage to persons under the
304 age of nineteen and their parents and needy caretaker relatives who
305 qualify for coverage under Section 1931 of the Social Security Act with
306 family income up to one hundred fifty per cent of the federal poverty
307 level without an asset limit, upon the request of such a person or upon
308 a redetermination of eligibility. Such levels shall be based on the
309 regional differences in such benefit amount, if applicable, unless such

310 levels based on regional differences are not in conformance with
311 federal law. Any income in excess of the applicable amounts shall be
312 applied as may be required by said federal law, and assistance shall be
313 granted for the balance of the cost of authorized medical assistance. All
314 contracts entered into on and after July 1, 1997, pursuant to this section
315 shall include provisions for collaboration of managed care
316 organizations with the Healthy Families Connecticut Program
317 established pursuant to section 17a-56. The Commissioner of Social
318 Services shall provide applicants for assistance under this section, at
319 the time of application, with a written statement advising them of the
320 effect of an assignment or transfer or other disposition of property on
321 eligibility for benefits or assistance.

322 (b) For the purposes of the Medicaid program, the Commissioner of
323 Social Services shall consider parental income and resources as
324 available to a child under eighteen years of age who is living with his
325 parents and is blind or disabled for purposes of the Medicaid program,
326 or to any other child under twenty-one years of age who is living with
327 his parents.

328 (c) On or before January 15, 1994, and annually thereafter, the
329 Department of Social Services shall submit a report to the General
330 Assembly in accordance with section 11-4a which sets forth the
331 following: The number of children receiving Medicaid services; the
332 number of children receiving medical treatment at any state or
333 municipal health care facility; the number of doctors and dentists
334 participating in state or municipally-funded programs; and the
335 percentage of children treated in medical programs whose family
336 income is less than one hundred thirty-three per cent of the federal
337 poverty level and the number whose family income is greater than one
338 hundred thirty-three per cent but not more than one hundred eighty-
339 five per cent of the federal poverty level. On and after October 1, 1996,
340 the report shall be submitted to the joint standing committee of the
341 General Assembly having cognizance of matters relating to human
342 services and, upon request, to any member of the General Assembly. A

343 summary of the report shall be submitted to each member of the
344 General Assembly if the summary is two pages or less and a
345 notification of the report shall be submitted to each member if the
346 summary is more than two pages. Submission shall be by mailing the
347 report, summary or notification to the legislative address of each
348 member of the committee or the General Assembly, as applicable.

349 (d) The Commissioner of Social Services shall seek a waiver from
350 federal law to permit federal financial participation for Medicaid
351 expenditures for families with incomes of one hundred forty-three per
352 cent of the temporary family assistance program payment standard.

353 (e) Notwithstanding any other provision of this section, the
354 Commissioner of Social Services shall seek federal approval for an
355 increase in medical assistance eligibility levels, of a proportionate per
356 cent, when the Social Security Administration increases such benefits.

Statement of Purpose:

To maintain the current enrollment of senior citizens receiving government assistance even if the senior citizen receives a small increase in Social Security benefits.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: SEN. HARP, 10th Dist.; SEN. LOONEY, 11th Dist.
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REP. MARTINEZ, 95th Dist.; REP. STAPLES, 96th Dist.
REP. DILLON, 92nd Dist.; REP. BEALS, 88th Dist.
REP. MEGNA, 97th Dist.; REP. CURREY, 10th Dist.
REP. CHRIST, 11th Dist.; REP. STONE, 9th Dist.
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S.B. 333

H.B. 6331